

COURT OF APPEAL OF THE STATE OF CALIFORNIA  
FOURTH APPELLATE DISTRICT  
DIVISION ONE

August 26, 2002

**D040357        Diego L. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency**

**D040678        In re Diego L. on Habeas Corpus**

The attorney for petitioner Diego L. has notified the court on behalf of the petitioner that a Petition for Writ of Mandate under Rule 39.1B will not be filed as there are no viable issues for writ review. Court of Appeal case No. D040357 is dismissed.

The petition for Writ of Habeas Corpus submitted by Diego L., is assigned Court of Appeal case No. D040678 and will be addressed separately. San Diego County Health and Human Services Agency may respond within 10 days from the date of this order.

**D038070        People v. Legrand**

The judgment is reversed, and the matter remanded to the trial court for a retrial in accordance with the principles noted above. Huffman, Acting P.J.; We Concur: McDonald, J., O'Rourke, J.

**D040498        In re Lawyer on Habeas Corpus**

The petition is denied.

**D038848        People v. Garcia**

Judgment affirmed. McDonald, J.; We Concur: Haller, Acting P.J., O'Rourke, J.

**D039197        People v. Tadepa**

The judgment is affirmed. Huffman, Acting P.J.; We Concur: McDonald, J., O'Rourke, J.

Court convened at 9:00 a.m.

Present: The Honorable Richard Huffman, Acting Presiding Justice, and The Honorable Associate Justices Alex McDonald and Terry O'Rourke  
Clerk: D. E. Moore

**D038210        People v. Valverde**

Cause called on merits. Nicholas DePento, Esq. argued for appellant. Holly Hoffman, Deputy Attorney General argued for respondent. Cause submitted.

Court adjourned at 10:26 a.m.

**D039943        In re T. T., a Juvenile.**

The order is affirmed. Haller, J.; We Concur: Huffman, Acting P.J., McDonald, J.

**D040542        Robert L. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency**

The attorney for petitioner Robert L. has notified the court on behalf of the petitioner that a Petition for Writ of Mandate under Rule 39.1B will not be filed as there are no viable issues for writ review. The case is dismissed.

COURT OF APPEAL OF THE STATE OF CALIFORNIA  
FOURTH APPELLATE DISTRICT  
DIVISION ONE

August 26, 2002 (continued)

**D037432        Matthews v. Morgan**

Judgment affirmed. Haller, Acting P.J.; We Concur: McDonald, J., O'Rourke, J.

**D039864        In re J.C. et al., Juveniles**

The judgments are affirmed. Haller, J., We Concur: Huffman, Acting P.J., O'Rourke, J.

**D039329        Hannanay et al. v. State Water Resources Control Board et al.**

The judgment is affirmed. The defendants are awarded costs on appeal. McConnell, J.;  
We Concur: Haller, Acting P.J., O'Rourke, J.

COURT OF APPEAL OF THE STATE OF CALIFORNIA  
FOURTH APPELLATE DISTRICT  
DIVISION ONE

August 27, 2002

**D039777        In re Paul L. et al., Juveniles**

The orders are affirmed. O'Rourke, J.; We Concur: Huffman, Acting P.J., Haller, J.

**D040394        In re Legrand on Habeas Corpus**

The petition is denied as moot in light of the opinion filed August 26, 2002, in People v. Legrand, D038070.

**D037414        Pearson et al. v. Barr/Transamerica Occidental Life Insurance Company**

Judgment affirmed. Barr to recover costs he incurred as respondent on the Pearson brothers' appeal; Transamerica to recover its costs from Barr.

**D038059        Caloca et al. v. County of San Diego et al.**

The judgment is affirmed. Each party shall bear their own costs of appeal. Benke, Acting P.J.; We Concur: Huffman, J., Haller, J.

**D040521        In re Marshall on Habeas Corpus**

The petition is denied.

**D040499        In re Senteno on Habeas Corpus**

The petition is denied.

**D040596        In re Miranda on Habeas Corpus**

The petition is denied.

**D040671        Martin et al. v. Superior Court of San Diego County/Ocwen Federal Bank**

The petition is denied.

**D040572        In re Wells on Habeas Corpus**

The petition is denied.

**D038487        Britt v. San Diego Unified Port District**

The petition for rehearing is denied.

COURT OF APPEAL OF THE STATE OF CALIFORNIA  
FOURTH APPELLATE DISTRICT  
DIVISION ONE

August 28, 2002

**D038945        People v. Tuescher**

The judgment is affirmed. Benke, J.; We Concur: Kremer, P.J., McDonald, J.

**D039438        In re Brian W., a Juvenile**

The judgment is affirmed. Benke, Acting P.J.; We Concur: Haller, J., McDonald, J.

**D038160        People v. Velarde et al.**

The petition for rehearing is denied.

**D038014        People v. Perez**

The abstract of judgment is ordered modified to reflect a term of four years, rather than four years and eight months, with respect to the concurrent sentence for the assault, and copies of the amended abstract shall be furnished to all appropriate parties. In all other respects the judgment is affirmed. Huffman, Acting P.J.; We Concur: Haller, J., McDonald, J.

**D039622        In re N.B. et al., a Minor**

The judgments are affirmed. Haller, J.; We Concur: Kremer, P.J., Benke, J.

**D035787        People v. Turgeon**

The judgment is affirmed. Huffman, Acting P.J.; We Concur: Haller, J., O'Rourke, J.

**D036698        People v. Robinson**

The petition for rehearing is denied. The opinion filed herein on August 1, 2002 is modified. There is no change in the judgment.

COURT OF APPEAL OF THE STATE OF CALIFORNIA  
FOURTH APPELLATE DISTRICT  
DIVISION ONE

August 29, 2002

**D040248            In re Nathaniel Z. et al., Juveniles**

The appeal is dismissed. O'Rourke, J.; We Concur: Huffman, J., McDonald, J.

**D038486            Hopkins v. San Diego Unified Port District et al.**

The request for publication of the opinion is denied.

COURT OF APPEAL OF THE STATE OF CALIFORNIA  
FOURTH APPELLATE DISTRICT  
DIVISION ONE

August 30, 2002

**D040612        In re Singleton on Habeas Corpus**

The petition is denied.

**D037960        People v. Drew**

The appellant and respondent agree the trial court imposed an indeterminate sentence of 50 years to life and a determinate sentence of 20 years to life. Because the abstract of judgment fails to properly reflect the imposition of 50 years to life as the indeterminate sentence, this court directs the trial court to correct the abstract of judgment and notify the Department of Corrections. The judgment is affirmed.

Haller, Acting P.J.; We Concur: O'Rourke, J., McConnell, J.

**D039372        Frazer v. Altbaum**

The judgment is affirmed. Huffman, Acting P.J.; We Concur: Haller, J., McIntyre, J.